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October 21, 2015

Judge Anne E. Thompson  
United States District Court  
District of New Jersey  
Clarkson S. Fisher Building & U.S.  
Courthouse  
402 East State Street  
Trenton, New Jersey 08608

Re: Ohio Casualty Insurance Company and Liberty  
Insurance Underwriters Inc. v. Walmart Stores, Inc.  
and Walmart Transportation, LLC 15-cv-07414 (AET)

Dear Judge Thompson:

We represent the Wal-Mart defendants in the above-captioned action and write in response to the October 19 letter from plaintiffs' counsel Paul Koepff requesting an expedited briefing schedule on plaintiffs' motion to remand this case to state court.

Mr. Koepff requests an expedited briefing schedule because "[a]n expedited briefing schedule will facilitate where Wal-Mart's motion to dismiss or stay this action should be heard – the Superior Court of New Jersey, Middlesex County or this Court." Wal-Mart does not intend to ask this Court to hear a motion to dismiss or stay this action until the motion to remand is decided. Indeed, Wal-Mart has never mentioned any such motion to plaintiffs or their counsel, and there is therefore no basis for any expedited briefing schedule. If Wal-Mart does file a motion to dismiss or stay this case, Wal-Mart agrees that such a motion should only be decided by this Court after the Court decides the currently scheduled motion to remand.

Wal-Mart is entitled to the regular briefing schedule, under which its response is due on November 2, less than two weeks from today.

Respectfully submitted,

/s/ William G. Passannante

William G. Passannante

cc: All counsel of record

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

THE OHIO CASUALTY INSURANCE  
COMPANY and LIBERTY INSURANCE  
UNDERWRITERS INC.,

Plaintiffs,

v.

WAL-MART STORES, INC.; WAL-MART  
TRANSPORTATION, LLC, QBE INSURANCE  
CORPORATION; ST. PAUL FIRE & MARINE  
INSURANCE COMPANY and XL INSURANCE  
AMERICA, INC.,

Defendants.

**CIVIL ACTION NO. 3:15-cv-07414**

**CERTIFICATE OF SERVICE**

I, DONALD FLYNN, hereby certify that on October 21, 2015, I caused a William G. Passannante letter to the Honorable Anne E. Thompson to be filed with the Clerk of the Court and served on all counsel of record via the Court's electronic filing system (CM/ECF).



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DONALD FLYNN